

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EUGENE BOMBER,

Plaintiff,

Case No. 16-cv-11943
Hon. Matthew F. Leitman

v.

COMMUNICARE MICHIGAN
LLC *et al.*

Defendants.

**ORDER (1) GRANTING IN PART AND DENYING IN PART
DEFENDANTS' MOTION TO DISMISS (ECF #29); (2) DIRECTING
PLAINTIFF TO FILE A SECOND AMENDED COMPLAINT;
AND (3) REFERRING THE CASE TO MAGISTRATE JUDGE
FOR SETTLEMENT CONFERENCE**

On January 30, 2017, Plaintiff Eugene Bomber ("Bomber") filed an Amended Complaint against Defendants Communicare Michigan LLC ("Communicare") and Tampa Bay Holdings, LLC ("Tampa Bay"). (*See* ECF #27.) On February 27, 2017, Defendants moved to dismiss the Amended Complaint (the "Motion"). (*See* ECF #29.) Bomber responded to the Motion on March 20, 2017. (*See* ECF #30.) The Court held a hearing on the Motion on May 30, 2017.

As explained on the record at the hearing, the Motion is **GRANTED IN PART AND DENIED IN PART**, and the Court directs Bomber to file a Second Amended Complaint that addresses the Court's concerns identified at the hearing.

Bomber shall file the Second Amended Complaint no later than 21 days after the date of the settlement conference described below. Defendants shall file an answer or otherwise respond to the Second Amended Complaint within 21 days of that complaint being filed.

Finally, the Court **ORDERS** that this matter be referred to U.S. Magistrate Judge Davis for a settlement conference.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: May 31, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 31, 2017, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(313) 234-5113